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ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0012 (Merritt Lakeline Station)

Z.A.P. DATE: April 15, 2014

ADDRESS: 9829 ½ North Lake Creek Parkway

OWNER/APPLICANT: 620/183 Partnership/A/P 200 Land, Ltd. (Fred Thomas)

ZONING FROM: LO, GR

TO: MF-6

AREA: 9.621 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant MF-6, Multifamily Residence-Highest Density District, zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

The property in question is developed with a single-family residence and outlying structures. This tract of land is sparsely vegetated and relatively flat. It is located adjacent to an existing apartment complex to the north, across Lakeline Mall Drive (Platinum Lakeline Apartment Homes). The lot directly to the east is developed with a hotel use (La Quinta). The subject tract is adjacent to the west of the Leander Rehabilitation PUD and the recently approved Northwest Transit Oriented (TOD). Parcel COR-4 of the Leander Rehabilitation PUD is currently planned for commercial/ office/ residential development. The applicant in this case has applied for Low Income Housing Tax Credits from the Texas Department of Housing and Community Affairs and is proposing to construct approximately 200 multifamily residential units on the site.

The staff recommends the applicant's request for MF-6, Multifamily Residence-Moderate-High Density District, zoning for this property because it is located at the intersection of two arterial roadways, North Lake Creek Parkway and Lakeline Mall Drive. In addition, this site is approximately a quarter mile to the southeast of the intersection of Lakeline Boulevard and Lyndhurst Drive, where there is a Capital Metro transit station for the commuter rail stop. The staff encourages commercial and high density residential development in proximity to this major intersection, transit link, and TOD area. The site is located within the boundaries of a 'Regional Center', as identified on the Imagine Austin's Growth Concept Map, found in the Image Austin Comprehensive Plan.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	LO, GR	Undeveloped
North	GR, MF-4	Undeveloped Tract, Multifamily (Platinum Lakeline Apartment Homes)
South	GR	Undeveloped
East	GR, PUD (Hog Farm PUD)	Hotel (La Quinta), Undeveloped (Parcel COR-4)
West	CH	Undeveloped

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AREA STUDY: N/A

TIA: N/A

WATERSHED: Lake Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
Austin Monorail Project
Bike Austin
Davis Spring HOA
Davis Springs President
Homeless Neighborhood Organization
SELTEXAS
Sierra Club, Austin Regional Group

SCHOOLS: Round Rock I.S.D.

Forest North Elementary School
Grisham Middle School
Mc Neil High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2007-0218 (620-183 Limited Partnership: 10700-10704 Lakeline Mall Drive)	GR-MU to MF-4	11/20/07: Approved MF-4-CO zoning, limit the property to MF-3 density regulations/36 units per acre (7-0, S. Hale-absent, T. Rabago-left early); J. Martinez-1 st , K. Jackson-2 nd .	12/13/07: Approved MF-4 district zoning(6-0, McCracken-off dais); 1 st reading 1/31/08: Approved MF-4 by consent on 2 nd reading, with additional condition for staff to incorporate green building restrictions offered by applicant into appropriate documents before 3 rd reading (7-0) 2/28/08: Approved MF-4 district zoning with conditions by consent (7-0); 3 rd reading
C14R-85-366(RCA2)	To amend the restrictive covenant to remove lots 9 and 10 from any limits or restrictions.	10/16/07: Approved staff's recommendation to approve 2 nd amendment to the restrictive covenant by consent (6-0, C. Hammond, J. Gohil-absent)	11/29/07: Approved RCA (6-0)

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C14-06-0212 (620/183 Limited Partnership: 10700 Lakeline Mall Drive)	GR to GR-MU	1/09/07: Approved staff rec. of GR-MU by consent (6-0)	1/25/07: Approved GR-MU zoning (6-0); all 3 readings
C14-04-0121: North Fork Plaza: 13945 U. S. Highway 183 North)	DR, GR to GR	9/7/04: Approved staff's recommendation of GR zoning by consent (8-0, J. Martinez-absent); J. Gohil-1 st , T. Rabago-2 nd .	9/30/04: Granted GR zoning (7-0); all 3
C14-03-0048 (Highland Resources, Inc.: U.S. Highway 183 North and FM 620 Road North)	DR to GR	4/1/03: Approved staff's recommendation of GR zoning by consent (9-0); J. Martinez-1 st , J. Gohil-2 nd .	5/08/03: Granted GR on 3 readings (7-0)
C14-03-0046 (Northfork Plaza: 13945 U.S. Highway 183 North	DR to GR	3/25/03: Approved staff's recommendation of GR zoning by consent (7-0, K. Jackson-not yet arrived, J. Martinez-absent)	4/24/03: Granted GR on all 3 readings (6-0-1, Garcia-absent)
C14-00-2148 (Walden Park Lot 19: Lake Creek Parkway at Lakeline Mall Drive)	GO to GR	8/15/00: Approved staff rec. of GR by consent (7-2, RC/JM-Nay)	9/28/00: Approved GR (7-0); all 3 readings
C14-99-2110 (Arnold Tract Rezoning: 13100-13500 n. FM 620 Road)	DR, SF-2 to CS	3/28/00: Approved staff rec. of GR by consent (5-0)	5/18/00: Approved PC rec. of GR (6-0); all 3 readings
C14-98-0253 (Pac Ten MGA Tract 5: 10701-10727 Block of Lakeline Mall Drive)	MF-3 to GR	4/13/99: Approved staff rec. of GR (7-0). Also approved MGA for 10 years.	5/13/99: Approved PC rec. of GR (7-0); 1 st reading 6/3/99: Approved GR (7-0); and/3 rd readings
C814-97-0001 (Leander Rehabilitation PUD)	I-RR to PUD	9/30/97: Approved PUD w/ conditions (6-3)	11/20/97: Denied PUD zoning because it does not conform to purpose and is not a superior development (7-0) 7/1/99: State over-rode/ Approved PUD

RELATED CASES: C14R-85-360 (Walden Park: 13310 N. FM 620 Rd) – Public Restrictive Covenant

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
N. Lake Creek Pkwy	140'	97'	Major Arterial MAD 4	No	Yes	Yes
Lakeline Mall Drive	130'	100'	Major Arterial MAD 4	No	No	Yes, w/in ¼ mile.

CITY COUNCIL DATE: May 15, 2014

ORDINANCE READINGS: 1st

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

ACTION:

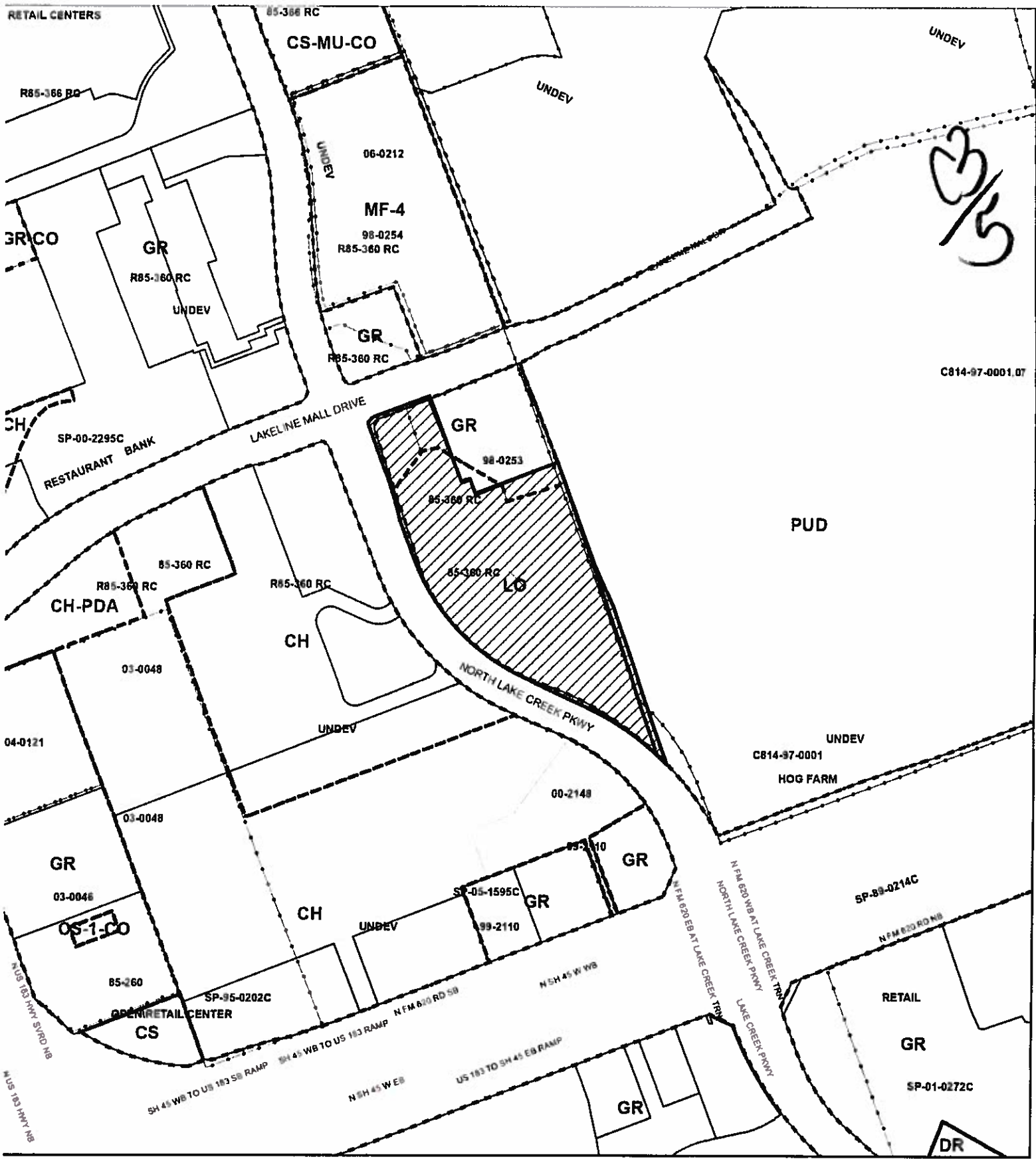
2nd

3rd

PHONE: 974-3057,

sherri.sirwaitis@ci.austin.tx.us

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N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

ZONING CASE

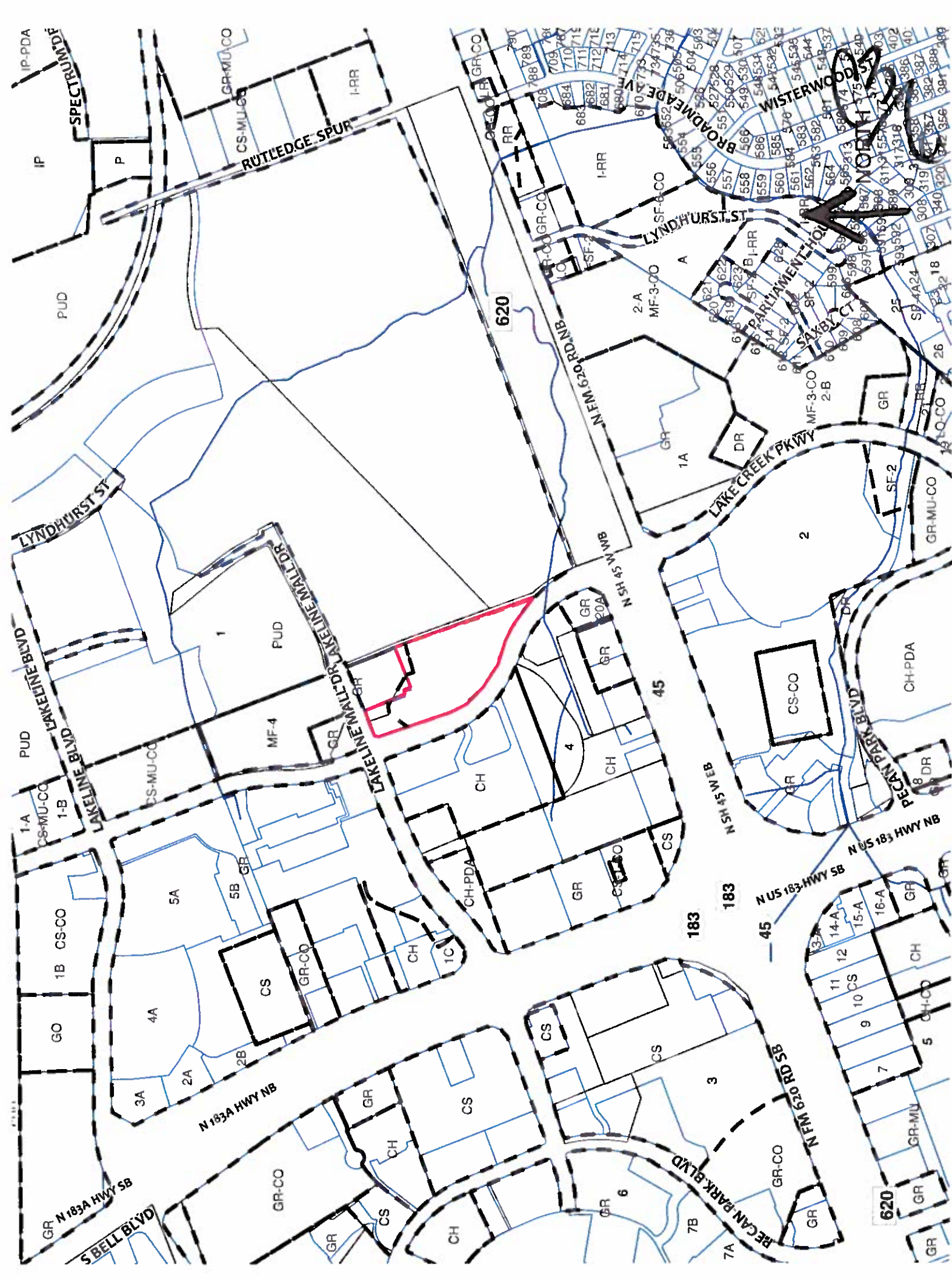
C14-2014-0012

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



1" = 400'





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STAFF RECOMMENDATION

The staff's recommendation is to grant MF-6, Multifamily Residence-Highest Density District, zoning.

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Multifamily residence highest density (MF-6) district is the designation for multifamily and group residential use. An MF-6 district designation may be applied to a use in a centrally located area near supporting transportation and commercial facilities, an area adjacent to the central business district or a major institutional or employment center, or an area for which the high density multifamily use is desired.

2. *The proposed zoning should promote consistency and orderly planning.*

MF-6 zoning would be compatible and consistent with the surrounding uses because this property is located adjacent to MF-4 zoning to the north, GR/PUD zoning to the east, and CH zoning to the west. The surrounding zoning will permit commercial services that can be utilized by the residents of this proposed development. In addition, the site is located approximately a quarter mile to the east, southeast of the intersection of Lakeline Boulevard and Lyndhurst Drive, where there is a transit station for the commuter rail stop by Capital Metro. The staff encourages commercial and high density residential development in proximity to this major intersection and transit link.

3. *Intensive multi-family zoning should be located on major arterials and highways.*

The property in question is located at the southeast corner of the intersection of two arterial roadways, Lakeline Mall Drive and North Lake Creek Parkway. The site is also located within the boundaries of a 'Regional Center', as identified on the Imagine Austin's Growth Concept Map, found in the Image Austin Comprehensive Plan.

EXISTING CONDITIONS

Site Characteristics

The subject tract is developed with a single-family residence and outlying structures. The property is sparsely vegetated, with clusters of trees around the existing buildings.

Comprehensive Planning

LO/GR to MF-6

This zoning case is located on the southeast corner of N. Lake Creek Parkway and the frontage road SH-45. Lakeline Mall Drive is located to the north. This undeveloped property is approximately 9.6 acres in size and is not located within the boundaries of a neighborhood planning area. Surrounding land uses include a hotel to the north, SH-45 to the south, vacant land to the east, and a bank and vacant land to the west. The proposed use is a multi-family.

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Imagine Austin

The site is located over the Edwards Aquifer Recharge Zone, as identified on the Imagine Austin's Environmental Resources Map, found in the Image Austin Comprehensive Plan (IACP). An aquifer contributing zone is an area where runoff from precipitation flows to the recharge zone of an aquifer. Streams in the contributing zone flow downstream into the recharge zone and "contribute" water to the aquifer.

The property is also located within the boundaries of a '**Regional Center**', as identified on the Imagine Austin's Growth Concept Map, found in the Image Austin Comprehensive Plan. A Regional Center is the most urban of the three activity centers outlined in the growth concept map. These centers are and will be the retail, cultural, recreational, and entertainment destinations for Central Texas. These are also the places where the greatest density of people and jobs and the tallest buildings in the region will be located. The densities, buildings heights, and overall character of a center will vary depending on location. Regional centers will range in size between approximately 25,000-45,000 people and 5,000- 25,000 jobs.

The following IACP policies are applicable to this case:

- **LUT P3** Promote development in compact centers, communities or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.
- **LUT P2I.** Ensure that redevelopment in the Edwards Aquifer's recharge and contributing zones maintains the quantity and quality of recharge of the aquifer.
- **HN P1.** Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.
- **HN P5.** Promote a diversity of land uses throughout Austin to allow a variety of housing types including rental and ownership opportunities for singles, families with and without children, seniors, persons with disabilities, and multi-generational families.

Although the location of this proposed multi-family project is not an ideal for developing a walkable community, the property is located within a mile from Lakeline Mall and other retail shops and services, schools, churches, and various job opportunities. Based upon the Imagine Austin policies referenced above that supports a variety of housing types and infill development within a regional center, staff believes that this project is supported by Imagine Austin as long as environmental ordinances are considered and enforced.

Environmental

The site is located over the North Edwards Aquifer Recharge Zone. The site is in the Lake Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

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Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Impervious Cover

The maximum impervious cover allowed by the MF-6 zoning district would be 80%. However, if the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

Note: The most restrictive impervious cover limit applies.

Site Plan

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. The development, although being rezoned to MF-6, will be required to comply with portions of Subchapter E, most notably, private common open space. Section 2.7, all site plans 2 acres in size and all multifamily and condominium uses must devote 5% of the gross site area as private common open space.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

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Transportation

A TIA is not required as this project falls under the guidelines of State legislation, S.B. 1396, which went into effect September 1, 1995. Under this legislation, the City may not "deny, limit, delay, or condition the use of development of land...because of traffic or traffic operations that would result from the proposed use or development of the land." A traffic impact analysis is not required for any development within this area, and traffic issues may not be considered in the approval of the application. Right-of-way dedication, however, may still be required.

Additional R.O.W. may be required at the time of site plan submission as deemed necessary for adequate traffic safety.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows: North Lake Creek

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
N. Lake Creek Pkwy	140'	97'	Major Arterial MAD 4	No	Yes	Yes
Lakeline Mall Drive	130'	100'	Major Arterial MAD 4	No	No	Yes, w/in ¼ mile.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2014-0012

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: April 15, 2014, Zoning and Platting Commission

May 15, 2014, City Council

Marcus Hiles

Your Name (please print)

10500 Lakeline Mall Blvd. Austin, TX 78717

Your address(es) affected by this application

4/8/14

Signature

972-471-8722

Daytime Telephone:

Date

Comments:

Existing multi-family zoned properties at Lakeline developed on existing and future office zoned parcels to provide jobs to their residents and to provide ability to walk or bike to adjacent employment centers. The adjacent transit center can also provide alternative transportation to office buildings in this area.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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